

MESSAGE NO: 5026202 MESSAGE DATE: 01/26/2005

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-504

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/17/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING AND LIQUIDATION INSTRUCTIONS ON ANTIDUMPING DUTY  
ORDER ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-  
570-504)

MESSAGE NO: 5026202

DATE: 01 26 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 12 17 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING AND LIQUIDATION INSTRUCTIONS ON  
ANTIDUMPING DUTY ORDER ON PETROLEUM WAX CANDLES FROM  
THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

1. ON 12/17/2004, IN RESPONSE TO A REQUEST BY PACIFIC  
ENTERPRISE, LLC (PACIFIC ENTERPRISE) THE DEPARTMENT OF COMMERCE  
ISSUED A FINAL SCOPE RULING THAT ITS "CHUBBY PALM CANDLES" (ITEM  
NUMBERS 02717, 02724, AND 02700) ARE NOT WITHIN THE SCOPE OF THE  
ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE

PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. THE COMMERCE DEPARTMENT FOUND SUFFICIENT EVIDENCE ON THE RECORD TO ESTABLISH THAT PACIFIC ENTERPRISE'S "CHUBBY PALM CANDLES" (ITEM NUMBERS 02717, 02724, AND 02700) SHOULD BE EXCLUDED BECAUSE THE DEPARTMENT HAS DETERMINED THAT THESE CANDLES

ARE EASILY IDENTIFIABLE OBJECTS FROM MULTIPLE ANGLES. THESE CANDLES, THEREFORE, ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 12/17/2004, TERMINATE SUSPENSION OF LIQUIDATION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, FOR THE CANDLES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE CANDLES LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ALL OTHER ENTRIES OF PETROLEUM WAX CANDLES SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY 06:KLH).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party